



000002002734.JBM.220546

Atty. Docket 4002-2734

3738

#5/86
6.403

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Boyd et al.

Serial No. 09/869,813

Filed January 3, 2002

INTERVERTEBRAL SPACER WITH
SIDE WALL ACCESSIBLE
INTERIOR CAVITY

)
)
) Before the Examiner
) Unknown
)
) Group Art Unit
) 3738
)
)
)
)

RECEIVED

MAY 29 2003

TECHNOLOGY CENTER R3700

INFORMATION DISCLOSURE STATEMENT
SUBMITTED UNDER 37 C.F.R. §1.97(c)(1)

Mail Stop DD
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure in accordance with 37 CFR §1.56, Applicants wish to bring to the attention of the Examiner the patents, publications, and/or other information listed on the attached PTO Form 1449 (modified). All the references listed on the attached Form were cited in the priority PCT application. Consequently, copies of these references have not been included with this Statement. Should the Examiner desire copies of the references the undersigned attorney will gladly forward them.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b).

This statement is being submitted after the filing of the application but before receipt of the First Office Action, It is believed that no fee is required for consideration of the submitted

items. However, should any extra fees be required, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.	
<u>May 21 2003</u>	(Date of Deposit)
James B. Myers, Jr.	
Name of Registered Representative	
<u>James B. Myers Jr.</u>	Signature
<u>May 21 2003</u>	Date of Signature

Respectfully submitted,

By: _____

James B. Myers Jr., Reg. No. 42,021
Woodard, Emhardt, Moriarty, McNett & Henry LLP
3700 Bank One Center Tower
111 Monument Circle
Indianapolis, IN 46204-5137
(317) 634-3456